

REMARKS

Claims 1-32 have been canceled. New claims 33-97 are now pending. No new matter has been introduced into the application.

Applicant presents the following remarks:

1. An information disclosure statement was filed on January 5th 2005. This information disclosure statement most likely did not reach the Examiner prior to the issuance of the office action. Applicant does kindly request that the 1449 be signed and returned.

2. Claims 1-15 and 24-32 have been rejected under the judicially created doctrine of obviousness double patenting rejection. Claims 1, 2, 5-9, 14, and 24-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Grossman et al. (U.S. Patent NO. 5,633,000).

Accordingly, claims 3, 4, 10, 11, 12, 13, 15, 27, 28, 29, 30, 31, and 32 are only subjected to the obviousness type double patenting rejection and can be cured by a terminal disclaimer.


In lieu of placing the claims subjected to the double patenting rejection in independent form and filing of a terminal disclaimer, Applicant has introduced new claims which cover such subject matter. With this response, a terminal disclaimer is being co-filed. Claims that have been rejected under Grossman et al. are no longer in independent form or have been removed from the application. As a result, Applicant believe that all of the rejections have been overcome and respectfully request removal of the rejections.

CONCLUSION

Applicant believes that the new claims are in condition for allowance. If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned attorney at (415) 954-0323.

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Respectfully submitted,



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